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US COLO AT ONE WILSHIRE, LLC.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES, )  
a California corporation, )

Plaintiff, )

vs. )

STRATASOFT, INC. a Texas corporation; )  
INX/I-SECTOR, INC. a Texas corporation; )  
U.S. COLO ONE WILSHIRE, LLC; )  
TOUCH ASIA OUTSOURCING )  
SOLUTIONS, INC., et al., )  
Defendants. )

Case No. 08-CV-0138 WQH POR

**MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM OR  
IN THE ALTERNATIVE MOTION FOR  
MORE DEFINITE STATEMENT**

Hon. William Q. Hayes  
Dept. 4, Fourth Floor, U.S. Courthouse

Hearing Date: July 28, 2008  
Hearing Time: 11:00 am

NO ORAL ARGUMENT REQUESTED

Defendant U.S. COLO AT ONE WILSHIRE, LLC, improperly sued as "U.S. COLO One  
Wilshire, LLC.", by and through its undersigned counsel, the Law Offices of Mark Wray, hereby  
moves pursuant to FRCP 8 and FRCP 12 (b)(6) to dismiss Plaintiff's *First Amended Complaint*  
filed on May 30, 2008 on the grounds that Plaintiff has not provided a short and plain statement  
of its claims or, in the alternative, that this responding party is entitled to a more definite  
statement of the claims for relief as alleged by Plaintiff.

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1 No oral argument is requested on this Motion. This motion is based on this motion, the  
2 points and authorities filed herewith, and the papers and pleadings on file in this action.

3  
4 DATED: June 19, 2008

BY: /MARK WRAY/  
MARK WRAY  
Attorney for Defendant  
US COLO AT ONE WILSHIRE, LLC.

**CERTIFICATE OF SERVICE**

The undersigned employee of the Law Offices of Mark Wray certifies pursuant to FRCivP 5 that a true copy of the foregoing document was sealed in an envelope with first class U.S. Postage prepaid thereon and deposited in the U.S. Mail at Reno, Nevada on June 19, 2008 addressed to the following:

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/Mark Wray/